

111TH CONGRESS
1ST SESSION

S. 775

To amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mr. VOINOVICH (for himself, Mr. LEAHY, and Mr. BOND) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AVAILABILITY OF APPROPRIATED FUNDS FOR**
 2 **INTERNATIONAL MILITARY-TO-CIVILIAN AND**
 3 **CIVILIAN-TO-CIVILIAN CONTACT ACTIVITIES**
 4 **CONDUCTED BY THE NATIONAL GUARD.**

5 (a) IN GENERAL.—Subchapter I of chapter 134 of
 6 title 10, United States Code, is amended by adding at the
 7 end the following new section:

8 **“§ 2249e. International military-civilian contact ac-**
 9 **tivities conducted by the National Guard:**
 10 **availability of appropriated funds**

11 “(a) AVAILABILITY OF APPROPRIATED FUNDS.—
 12 Funds appropriated to the Department of Defense shall
 13 be available for the payment of costs incurred by the Na-
 14 tional Guard (including the costs of pay and allowances
 15 of members of the National Guard) in conducting inter-
 16 national military-to-civilian contacts, civilian-to-civilian
 17 contacts, and comparable activities for purposes as fol-
 18 lows:

19 “(1) To support the objectives of the com-
 20 mander of the combatant command for the theater
 21 of operations in which such contacts and activities
 22 are conducted.

23 “(2) To build international civil-military part-
 24 nerships and capacity.

1 “(3) To strengthen cooperation between the de-
2 partments and agencies of the United States Gov-
3 ernment and agencies of foreign governments.

4 “(4) To facilitate intergovernmental collabora-
5 tion between the United States Government and for-
6 eign governments.

7 “(5) To facilitate and enhance the exchange of
8 information between the United States Government
9 and foreign governments on matters relating to de-
10 fense and security.

11 “(b) LIMITATIONS.—(1) Funds shall not be available
12 under subsection (a) for contacts and activities described
13 in that subsection that are conducted in a foreign country
14 unless jointly approved by the commander of the combat-
15 ant command concerned and the chief of mission con-
16 cerned.

17 “(2) Funds shall not be available under subsection
18 (a) for the participation of a member of the National
19 Guard in contacts and activities described in that sub-
20 section in a foreign country unless the member is on active
21 duty in the Armed Forces at the time of such participa-
22 tion.

23 “(c) REIMBURSEMENT.—In the event of the partici-
24 pation of personnel of a department or agency of the
25 United States Government (other than the Department of

1 Defense) in contacts and activities for which payment is
 2 made under subsection (a), the head of such department
 3 or agency shall reimburse the Secretary of Defense for the
 4 costs associated with the participation of such personnel
 5 in such contacts and activities. Amounts reimbursed the
 6 Department of Defense under this subsection shall be de-
 7 posited in the appropriation or account from which
 8 amounts for the payment concerned were derived. Any
 9 amounts so deposited shall be merged with amounts in
 10 such appropriation or account, and shall be available for
 11 the same purposes, and subject to the same conditions and
 12 limitations, as amounts in such appropriation or account.

13 “(d) DEFINITIONS.—In this section:

14 “(1) The term ‘military-to-civilian contacts’
 15 means the following:

16 “(A) Contacts between members of the
 17 Armed Forces and foreign civilian personnel.

18 “(B) Contacts between members of foreign
 19 Armed Forces and United States civilian per-
 20 sonnel.

21 “(2) The term ‘civilian-to-civilian contacts’
 22 means contacts between United States civilian per-
 23 sonnel and foreign civilian personnel.

24 “(3) The term ‘United States civilian personnel’
 25 means the following:

1 “(A) Personnel of the United States Gov-
2 ernment (including personnel of departments
3 and agencies of the United States Government
4 other than the Department of Defense) and
5 personnel of State and local governments of the
6 United States.

7 “(B) Members and employees of the legis-
8 lative branch, and non-governmental individ-
9 uals, if the participation of such individuals in
10 contacts and activities described in subsection
11 (a)—

12 “(i) contributes to responsible man-
13 agement of defense resources;

14 “(ii) fosters greater respect for and
15 understanding of the principle of civilian
16 control of the military;

17 “(iii) contributes to cooperation be-
18 tween foreign military and civilian govern-
19 ment agencies and United States military
20 and civilian governmental agencies; or

21 “(iv) improves international partner-
22 ships and capacity on matters relating to
23 defense and security.

24 “(4) The term ‘foreign civilian personnel’
25 means the following:

1 “(A) Civilian personnel of foreign govern-
 2 ments at any level (including personnel of min-
 3 istries other than ministries of defense).

4 “(B) Non-governmental individuals of for-
 5 eign countries, if the participation of such indi-
 6 viduals in contacts and activities described in
 7 subsection (a) will further the achievement of
 8 any matter set forth in clauses (i) through (iv)
 9 of paragraph (3)(B).”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of subchapter I of chapter 134 of such
 12 title is amended by adding at the end the following new
 13 item:

“2249e. International military-civilian contact activities conducted by the Na-
 tional Guard: availability of appropriated funds.”.

